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Youth Access to Tobacco Limited as Compliance Rates Reach Record High

Youth access to tobacco in Virginia is becoming increasingly limited as the compliance rates for selling only to those of legal age, 18 or older, have risen to a record high. The Virginia Department of Alcoholic Beverage Control (ABC) and the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) conducted the Commonwealth's annual Synar survey for tobacco sales compliance and announced that non-compliance rates are 11.3 percent, less than half the 27 to 30 percent non-compliance rates of 1998 just after the tobacco enforcement program began.

The new rates are well within the safety zone for the 20 percent or below non-compliance required to receive full federal funding for substance abuse. Synar provides annual federal funding for substance abuse programs in Virginia, and requires states to meet 80 percent compliance rates or lose 40 percent of the \$40 million annual funding. DMHMRSAS is the recipient of this funding and they distribute the funds to regional community service boards across the state.

In 1992, Congress enacted the federal Synar Amendment requiring states to enact legislation prohibiting sales of tobacco products to minors and to conduct annual unannounced compliance checks of retailers to measure the overall level of compliance and to identify violations. In 1997, the Virginia General Assembly designated ABC as the primary state agency to enforce the

Commonwealth's law prohibiting the purchase and possession of tobacco products by minors or the sales of tobacco products to minors.

In September 1997, ABC's Bureau of Law Enforcement began conducting tobacco compliance checks. From Sept. 11, 1997, through Sept. 30, 2002, ABC special agents conducted 19,353 tobacco compliance checks. ABC continues to conduct approximately 400 checks per month in an aggressive ongoing effort to curb underage access to tobacco products.

ABC tobacco compliance checks are partially funded by the Virginia Tobacco Settlement Foundation as one of their distributions targeted at restricting the use of tobacco products by minors through enforcement and enforcement education programs.

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